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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,227	04/09/2001	Mark E. Brewster	SMQ-063RCE/P5742	8606
959	7590	07/14/2006	EXAMINER	
LAHIVE & COCKFIELD			NGUYEN, THANH T	
28 STATE STREET			ART UNIT	
BOSTON, MA 02109			PAPER NUMBER	
			2144	

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,227

Applicant(s)

BREWSTER ET AL.

Examiner

Tammy T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



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Detailed Office Action

1. This action is response to the amendment filed on April 13, 2006.
2. Claims 1-23 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-9, 11-15, 17-20, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al., (hereinafter Li) U.S. Patent No. 6,757,869 in view of Hyman et al., (hereinafter Hyman) U.S. Patent No. 6,772,395.
5. As to claim 1, Li teaches the invention as claimed, including in a computer network, said network interfaced with a server, a method for collecting and presenting data, said method comprising the steps of: receiving a first

document created at a first location [Fig.4 host application 402, and client 400, See Li, see col.2, lines 31-35, and col.9, lines 40-53] (create an HTML document for each screen) ; automatically converting [see Li col.8, lines 10-13] (automatically converted into form input elements of the TEXT type) data extracted from said first document into an extensible markup language (XML) document, storing said XML document on said server (see fig.4, web server 410); and access of said XML document from a remote location connected to said network by a second user (fig.1). But Li does not teach permitting access to the XML document from a remote location. However, Hyman teaches permitting access document from a second location (col.6, lines 45-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Hyman into computer system of Li to have permitting access to the XML document from a remote location because it would have an efficient system that can provide specific functions to be determined if the sender or accessing person is indeed authorized to transmit or access documents.

6. As to claim 3, Li teaches the invention as claimed, wherein said recipient is said second user (fig.4, host application 402).
7. As to claim 4, Li teaches the invention as claimed, wherein said recipient is different from said second user (see fig.4, client 400).
8. As to claim 5, Li teaches the invention as claimed, further comprising the steps of: providing a stylesheet; and applying said stylesheet to said XML

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document in response to commands from said second user (see col.7, lines 30-35).

9. As to claim 6, Li teaches the invention as claimed, comprising the further step of: storing said XML document in a database connected to said network (see col.8, lines 10-44).
10. As to claim 7, Li teaches the invention as claimed, wherein said second user retrieves said XML document from said database (see col.8, lines 10-44).
11. As to claim 8, Li teaches the invention as claimed, further comprising the steps of: providing an extensible stylesheet language (XSL) stylesheet; and applying said XSL stylesheet to said XML document in response to commands from said second user (see col.7, lines 30-35).
12. As to claim 9, Li teaches the invention as claimed, including in a computer network, said network interfaced with a database, a method for collecting and presenting data, said method comprising the steps of: receiving a first document created at a first location (Fig.4 host application 402, and client 400); automatically converting data extracted from said first document into an extensible markup language (XML) document, the conversion taking place without user direction (see col.4, lines 12-26); storing said XML document on said server (see fig.4, web server 410); and access of said XML document from a remote location connected to said network by a second user (fig.1). But Li does not teach permitting access to the XML document from a remote location. However, Hyman teaches permitting access document from a second location (col.6, lines 45-50). It would have been obvious to one of

ordinary skill in the art at the time of the invention was made to combine the teachings of Hyman into computer system of Li to have permitting access to the XML document from a remote location because it would have an efficient system that can provide specific functions to be determined if the sender or accessing person is indeed authorized to transmit or access documents.

13. As to claim 11, Li teaches the invention as claimed, wherein said recipient is said second user (fig.4, host application 402).
14. As to claim 12, Li teaches the invention as claimed, wherein said recipient is different from said second user (see fig.4, client 400).
15. As to claim 13, Li the invention as claimed, further comprising the steps of: providing a stylesheet; and applying the stylesheet to said XML document in response to commands from said second user (see col.7, lines 30-35).
16. As to claim 14, Li teaches the invention as claimed, wherein said stylesheet is an XSL stylesheet (see col.8, lines 10-44).
17. As to claim 15, Li teaches the invention as claimed, including in a computer network, said network including a server interfaced with a database, a medium holding computer-executable instructions for a method of collecting and displaying data, said method comprising the steps of: receiving a first document created at a first location (Fig.4 host application 402, and client 400); automatically converting data extracted from said first document into an extensible markup language (XML) document, the conversion taking place without user direction (see col.4, lines 12-26); storing said XML document on said server (see fig.4, web server 410); and access of said XML document

from a remote location connected to said network by a second user (fig.1).

But Li does not teach permitting access to the XML document from a remote location. However, Hyman teaches permitting access document from a second location (col.6, lines 45-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Hyman into computer system of Li to have permitting access to the XML document from a remote location because it would have an efficient system that can provide specific functions to be determined if the sender or accessing person is indeed authorized to transmit or access documents.

18. As to claim 17, Li teaches the invention as claimed, wherein said recipient is different from said second user (see fig.4, client 400).
19. As to claim 18, Li teaches the invention as claimed, wherein the method comprises the additional steps of: providing a stylesheet; and applying the stylesheet to said XML document in response to commands from said second user (see col.7, lines 30-35).
20. As to claim 19, Li teaches the invention as claimed, wherein the stylesheet provided by said method is an XSL stylesheet (See col.7, lines 30-35).
21. As to claim 20, Li teaches the invention as claimed, including in a computer network, said network including a server, a medium holding computer-executable instructions for a method, said method comprising the steps of: receiving a first document created at a first location (Fig.4 host application 402, and client 400); automatically converting data extracted from said first document into an extensible markup language (XML) document, the

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conversion taking place without user direction (see col.4, lines 12-26); storing said XML document on said server (see fig.4, web server 410); and access of said XML document from a remote location connected to said network by a second user (fig.1). But Li does not teach permitting access to the XML document from a remote location. However, Hyman teaches permitting access document from a second location (col.6, lines 45-50). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Hyman into computer system of Li to have permitting access to the XML document from a remote location because it would have an efficient system that can provide specific functions to be determined if the sender or accessing person is indeed authorized to transmit or access documents.

22. As to claim 22, Li teaches the invention as claimed, wherein said recipient is said second user (see fig.4, client 400).
23. As to claim 23, Li teaches the invention as claimed, wherein said recipient is different from said second user (see fig.4, client 400).
24. Claims 2, 10, 16, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al., (hereinafter Li) U.S. Patent No. 6,757,869, and Hyman et al., (hereinafter Hyman) U.S. Patent No. 6,772,395 in view of Erez Halahmi., (hereinafter Halahmi) U.S. Patent No. 6,684,088.

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25. As to claim 21, Li teaches the invention as claimed, automatically emailing said XML document to a recipient, but Li and Hyman do not teach the wherein said method comprising the additional step of: recipient indicated by said first user. However, Halahmi teaches said recipient indicated by said first user (col.6, lines 10-18). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Pavlov, Hyman and Halahmi to have emailing XML document to a recipient because it would have an efficient system that can provide specific functions to send automatically emailing XML document to indicated by first user.
26. Claims 2, 10, 16 have similar limitations as claim 21; therefore, they are rejected under the same rationale.

Response to Arguments

27. Applicant's arguments filed on April 13, 2006 have been fully considered, however they are not persuasive because of the following reasons:
28. Applicants argue that Li does not indicate that XML document is saved on the server and permitting access to said document from a second location by a second user. In response to Applicant's argument, the Patent Examiner maintain the rejection because Li does teach a XML document is saved on the server and permitting access to said document from a second location by second user as shown in fig.4 having Web server 410 for stores XML document and also see col.6, lines 10-64 showing accessing to said document from second location by second user.

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29. Applicants argue that there is no motivation to combine Li and Hyman found in the reference. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have an efficient system that can provide specific functions to be determined if the sender or accessing person is indeed authorized to transmit or access documents.
30. Therefore, the Examiner asserts that cited prior arts teach or suggest the subject matter broadly recited in independent claims 1, 9, 15, and 20. Claims 2-8, 10-14, 16-19, and 21-23 are also rejected at least by the virtue of their dependency on independent claims and by other reasons set forth in the previous office action.
31. Accordingly, claims 1-23 are respectfully rejected.

Conclusion

32. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy T. Nguyen whose telephone number is 571-272-3929. The examiner can normally be reached on Monday - Friday 8:30 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *William Vaughn* can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
Patent

Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

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Customer Service Representative or access to the automated information system, call
800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TTN

January 5, 2006

A handwritten signature in black ink, appearing to read 'W. C. Vaughn', with a large, stylized flourish at the end.

**WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**